

The regular meeting of the Town Assembly of the Village of Arden was held on June 25, 1984, Chairman William Press presiding.

In attendance were:

Rae Gerstine	Steven Tanis	Donald Holcomb
John Grimaldi	June Kleban	Ruth Holcomb
Beatrice Jaffe	Marjorie Roberts	Joan W. Colgan
Helen Macklem	Hugh Roberts	Ianier Colgan
Bertha W. Brooks	Cy Liberman	Thomas E. Colgan
Sarah Hamburger	Mary Trench	Mary Brent Whipple
Jean K. Brachman	Aaron Hamburger	James Schwaber
Harold Monfort	Pat Liberman	David Skiles
Patricia Press	Dora Johnson	Emily George
Lee Starr	Leon Tanzer	Eugene Shaw
Bernard Brachman	Ruth Estes	Rowena Austin
Bill Press	Frank Akutowicz	Ruth Panella
Ed Rohrbach	Carl Falco	Sally Thurston
Paul Thompson	Frances K. Trench	Elizabeth Varley Walker
Mary E. Irons	John Hewlett	Larry Walker
Alida Fish	Mike Curtis	Bob Wynn (NV)

Minutes of the March meeting were approved as read.

Correspondence:

- Letter from the Brandywine Region Legislators Re: the twenty year development plan for Bellevue State Park. They are asking for comment on the present proposal, posted in the park office, in preparation for a public hearing in the late fall.
- Letter from Big Brothers/Big Sisters of Delaware, Inc. asking for volunteers.

STANDING COMMITTEE REPORTS

Trustees - Cy Liberman

We have been informed by Carl VonDreele that he will no longer be able to conduct the annual professional audit of the Trustee's books. We appreciate the service of high quality we have received over the years from Carl, who is a Certified Public Accountant. Because of his decision, we are looking for another person to do the professional audit, which of course is separate from the work of the Auditing Committee. We would appreciate suggestions from anyone in the community.

Rent collections are proceeding well in general but we very much regret to report that there are two cases in which leaseholders are delinquent; they have not paid this year's rent nor last year's. We have reluctantly instructed our attorney to file suit in these two cases. This is a most unusual occurrence but an action we must take, the renters have not responded to letters suggesting a monthly payment plan. The first duty of the Trustees is to collect the rent.

Financial report is on file.

Advisory Committee - No Report

Assessors - Harold Monfort. Full report on file. Highlights:

- Full rental value is defined as the sum of the net costs of the Village normally expressed by the amount required to pay the County and School taxes, the amount budgeted by the community to maintain its "standard of living", and the amount needed to maintain a prudent reserve.
- The board voted 5 to 2 to continue the "domicile rule" and the woods, greens, and commercial factors.
- There will be a 15% increase in the land rent rates.

Discussion:

Why do we need a 15% increase in land rent?

- 1) The New Castle County assessment will probably rise by \$5-6,000.
 - 2) Our reserve fund is being eroded by deficit budgets. We have spent \$20,000 of our reserve. The 15% increase will keep our reserve at the current amount (\$45,000), not increase it.
- The cost of living has only risen 9%, a 15% land rent hike seems excessive.

Since the vote of the Board of Assessors was 5 to 2, why was a minority report not included?

Assessors report received with 7 opposing votes.

Minority report presented by John Grimaldi and Bill Press.

Report on file. Highlights:

A single rate is proposed for all Arden lease land. All factors, sliding scale rate, and domicile rule would be eliminated. We feel Arden assessment has become biased in its treatment of different factions. The sliding scale gives larger leaseholds an unfair discount. It is questionable whether it is an advantage to live near greens and forests which are increasingly subject to public use. The domicile rule should be abandoned because it is illegal and unethical.

Discussion:

Why is the domicile rule illegal? The courts ruled it to be illegal in Ardencroft.

Large leaseholds deserve special consideration, they are a boon to the community, they prevent overcrowding and create a parklike atmosphere.

Living on the greens and woodlands is still an advantage.

The minority report may be presented to the September Assembly for inclusion in the November referendum.

Auditing Report - written by Alton Dahl. On file. Highlights:

- Net expense for the 1983-84 fiscal year was \$7,072.14, about \$1,000 more than the \$6,100 net expense budgeted. This net expense resulted from a combination of \$1,400 more income than expected with a \$3,500 underrun in general expense, a \$5,000 larger than budgeted property tax, and a \$1,200 overrun in administrative expense.
- The Audit Committee is not satisfied with the fiscal control available to the village in the present procedure for carrying over funds in the two Civic Committee budgets. We have discussed an alternate procedure with the Civic Committee and Ad-

visory Committee and will propose a change in this procedure to the Budget Committee for inclusion in their next budget proposal.

Letter from Carl VonDreele, Auditor, contesting the Auditing Committee report. Letter on file. Highlights:

The budget for the current year provided that expenses for roads and commons and forests may be interchangeable at the discretion of the Civic Committee and that any funds not expended can be carried over to the following year (via reserve accounts). It is presumed that good business practice would prevail so that the carry-over should be limited to the amount of available current funds and not contribute to an operating deficit. Accordingly, the new reserves reflect an aggregate of \$13,541.05 rather than \$20,613.19 without the limitation. It should be noted that additional funds for roads are available in the \$6,222.29 Municipal Street Aid Fund and \$3,377.16 Revenue Sharing Fund.

The essence of the dispute is whether it is proper to set aside funds which do not, in fact, exist. The effect of the Auditing Committee's position is to appropriate \$7,072.14 from surplus and add it to the reserves for future expenditures. The reason given that the budget "specifically called for a net expense of \$6,100" is not valid in my opinion. Obviously, if the actual expenditures in the two subject categories had aggregated the amount of the budget provisions plus the carry-overs from the preceding year, the result would have been an operating deficit of \$7,072.14 and a corresponding reduction of surplus. In such case there would be no carry-over problem.

In the actual situation, the combined expenditures were about \$13,000 of which \$11,600 was applied to the carry-over, leaving about \$1,400 - far short of the \$22,000 combined budget. The net operating income, before considering the carry-overs to the succeeding year, amounted to \$13,541.05 so I believed it proper to limit the carry-overs to this amount.

Discussion:

The basic problem is that the Civic Committee has underspent for the past two years. Carl feels we shouldn't carry-over funds in a deficit budget. You can't put money you don't have in a reserve fund.

However, by adopting Carl's theory we would shortchange ourselves on long term projects. Carl's theory is fiscally responsible but not practical. Civic Committee needs to anticipate natural disasters that may happen; some years they have overspent the budget.

Carl Falco reported for Budget Committee that the Auditing Committee has suggested that the November Budget Referendum show a line item for the Civic Committee carry-over surplus to be voted on.

This matter requires serious thought. It would be appropriate to discuss the discrepancy at the September meeting when the Auditing Committee is available.

Moved, seconded and unanimously accepted to table the reception of the Auditing Committee report until the September meeting in order to discuss the Civic Committee carry-over controversy,

Budget Committee - No Report

Buzz Ware Village Center Committee - written by Susan Rohrbach,

Secretary, presented by Elizabeth Varley Walker.

- Painting of Playground equipment on Sherwood Green has been completed. Painting was done by WMA, paint provided by Playground Committee in exchange for two weeks summer camp.
- Mrs. Bratten was employed by the Village Center Committee to complete Mr. Bratten's nightly work while Mr. Bratten was in the hospital and home recovering from surgery. Mrs. Bratten will continue to help Mr. Bratten as he feels need for such aid. Her salary will continue to be paid by BWVC.
- Hoover vacuum cleaner was purchased for \$189.00.
- Maintenance of furnace is still under study by Village Center Committee. A report will be presented at the September Town Meeting.
- Non-voting members from Ardentown and Ardencroft were invited to sit in on all BWVC Committee meetings. ACRA, WMA and Playground Committee are represented by non-voting members.
- Pick up games are being organized by BWVC Committee. Anyone interested contact Yvonne King.
- WMA Preschool is adding another class. This class will meet at the Ardentown YWCA.
- Outdoor lighting behind the Village Center is to be replaced by sodium lighting. The need for sodium lights is imperative; it is impossible to replace bulbs in the current fixtures. Marie Dugan met with Delmarva Power on June 6 to discuss this matter. Delmarva will install the light at no charge. WMA has agreed to pay the monthly charge of \$7.36. Maintenance for such a light will rest with Delmarva. Work will begin upon approval of this report.

Civic Committee - Eugene Shaw

Gene Shaw will act as co-chairman during the summer while Gail Rinehart is away. Joan Colgan has agreed to act as back-up.

Paul Thompson has agreed to be the town liaison with Laxton Trash Removal Company.

Theo Andrews, from Ardencroft, will do the town road work this year.

Wayne Knotts will do the Field Theater work (reseating the pillars) this coming week. The pillars are not safe now---they need to be secured before the ACRA children begin practicing there.

Discussion:

It was suggested that the committee survey all the trees in town, including those on leaseholds, to spot dangerous trees that may fall. Our trees are getting older, some have blown down this past year, and leaseholders should be warned. This responsibility should fall to the Civic Committee rather than the Trustees as they have more expertise in this area. Gene Shaw felt it would be difficult to predict which trees were hazards.

Problems on Meadow Lane were noted:

- The road is still torn up by Gas Company installations. Woody Vandever is working with the Gas Company on road repairs. If the work is not satisfactory, we can use ordinance #6 to fine them.
- Parking on Meadow Lane is a problem, the road is sometimes blocked. What if emergency vehicles need access to that road? We probably must suffer the temporary parking problems caused by the construction going on and our agreement with the land-owners covering lots #3 and #6 mandates off-street parking for cars on those properties. The real concern is the car parked on Meadow Lane that belongs to the front lot. These people were using an illegal access from the Lane until Civic Committee blocked that access, now they park on the roadway.

Community Planning Committee - Frank Akutowicz

The committee has held one meeting since March, we were unable to obtain a quorum for another meeting.

Work on the Arden Book is progressing slowly.

We are studying some published research on the effects of chlorine on streambed life. When we digest this material we will bring it to the attention of the Swim Guild and try to find a solution to the filter backwash problem in the Memorial Garden.

The Memorial Garden sub-committee has been active doing maintenance in the Garden. Families are reminded to return to pick up faded cut flowers placed on graves.

Public paths in Arden are overgrown. They should be trimmed by neighboring leaseholders so that two people can walk side-by-side down the path in wet weather.

Discussion:

Dora Johnson noted that the grass in the Pond area is still very tall. The Civic Committee has a work order placed with Osborne to cut that.

David Skiles reported that he is trimming the Sweep Path.

The committee was asked to consider the possibility of getting some metal "Welcome to Arden" signs like those in Ardencroft.

Playground Committee - Mary Brent Whipple

The Playground Committee has held monthly inspections since the last Town Meeting and has provided safety maintenance of the playground equipment. On the Sherwood Green playground the equipment was painted as agreed upon at the last Town Meeting by the Wilmington Montessori Association. This was done during their spring break. The horses on the toddler's play area at the Village Green were painted and re-installed with new springs and attachments on 4/15/84.

Current plans are to remove the junior basketball backstop from the Sherwood Green for safety reasons. There has been some discussion with WMA regarding contributions towards purchase of a new piece of equipment to replace the junior basketball backstop and wooden boxes that were removed earlier. Also, the bicycle stand at the Village Green is to be painted and has been taken to the Sherwood Green playground where it is felt it will receive more use.

Registration Committee - written by Virginia Shaw, presented by Helen Macklem.

There are currently 398 registered voters.

The result of the March Town Assembly elections for standing committees was announced (see March, 1984, minutes). Connee McKinney has since resigned from the Registration Committee and been succeeded by Helen Macklem, runner-up.

On June 10th the Registration Committee completed its current round of neighborhood get-togethers, begun in 1982, with an open house at the Enies. This program was started a number of years ago to help new and longer-established neighbors get acquainted with each other and the Village's principal elected officials. The town is divided into five units of manageable size. The host provides only the house; the committee provides paperware and beverages, and volunteers bring fingerfoods. We consider the program worth the effort and minimal cost, and expect to start a new series in the fall. We extend our thanks to the Enies and to the many past hosts through the years.

Our records management program in cooperation with Delaware State Archives is on schedule with the return of a unit of Village records recently microfilmed in Dover for security. The Records Officer and Town Clerk are continuing to organize our files. We will select another group of documents for photocopying during the year.

Safety Committee - Tom Colgan

The committee met on May 20, 1984, to reorganize. The following were elected: Thomas Colgan, Chairman, Warren Davis, Signs Chairman, David Warner, Police Liaison.

The committee feels three critical issues face us:

- 1) Traffic signs up0date
- 2) Summer police patrol
- 3) Coordination with Town Watch

Another issue of concern is the reinstitution of ordinance #12, the "dusk to dawn" ordinance, so that we can better control unlawful activities in the woods.

Since our meeting we have surveyed the signs and found many to be overgrown with brush. Residents could help by cutting back brush on signs adjacent to their lots. Similarly, brush obstructing visibility at street corners should be trimmed back. A problem exists with the lack of storage for signs and road equipment. Currently signs are stored with various present and former committee members.

The Civic Committee recommends that we have access to road barriers and flashers to block unsafe roads. This also constitutes a storage problem.

Some committee members feel that we should hire a guard for weekend surveillance of the Greens. Others feel we need more attention to after-dark activities surrounding the BWVC. These concerns are under discussion and observation.

Discussion:

Traffic problems are reported at the intersection of Hillside and Millers, we need enforcement there. Another dangerous intersection is the one at Hillside and Harvey where the banks in front of Pattersons and Farys are severely overgrown. This is really State property but we should see that it is cut back.

Why can't we purchase and man our own radar equipment on Harvey Rd. to control speeding? The police say that all radar must be operated by people empowered to arrest. There is not enough room on Harvey Rd. to operate a radar system.

How about signs on Sherwood and on the Highway warning that drivers are approaching a school? This would be helpful to Montessori and to ACRA.

In the past the Spring House has been used for sign storage. Tom Colgan will get the Spring House key from Woody Vandever.

Judicious use of police patrols has effectively controlled problems on the Greens for the past two summers, why not continue the practice?

NO OLD BUSINESS NEW BUSINESS

Shall we reinstate Ordinance #12 closing the forests from dusk to dawn? This ordinance expired in September, 1983 and can only be extended for one year at September meetings. If we wish to use it this summer, we need 3 readings, 1 tonight and 2 at special town meetings. If we do that, why not amend the ordinance so it can be reinstituted at any town meeting?

Why do we need this ordinance? The police were called on a complaint about a gathering in the woods and said they could not break it up because they found no camping, alcohol, or drugs. Gatherings are a nuisance to neighbors, causing commotion and bringing thievery and parking problems. Closing the woods is the simplest, most direct way to deal with the problem.

Problems with reinstatement.

- Closing the woods inhibits use by all Arden residents. The ordinance was designed to expire yearly to avoid restricting ourselves. The situation should be reviewed yearly in September when summer problems are fresh in our minds.
- Holding 2 special meetings would be costly, each meeting costs about \$100. We could not expect good attendance at a single issue meeting at this time of year and would risk not having a quorum.
- We have Ordinance #4 which prohibits overnight camping, alcohol or drugs in the woods, Ordinance #5 restricting noise, parking restrictions, and all other New Castle County ordinances. Our real problem is enforcement. We need a better understanding with the police.

Sense of the meeting: No action will be taken tonight on Ordinance #12. This ordinance should be reviewed at the September meeting.

Ordinance #13 (Every leaseholder in Arden shall provide parking space on the leasehold and off the roads of Arden to accommodate every vehicle regularly used by persons living on the leasehold) amendment proposed: All residents must park on their leaseholds and not on the streets of Arden.

The Civic Committee recognized the need for this amendment since the ordinance as it currently stands does not require residents to use their parking spaces and clear the Arden roads. Some residents now use their driveways for non-working vehicles, boats, etc.

The first reading of the amendment was unanimously accepted. It will be read at the September and January meetings before being adopted.

Ordinance #13 amendment proposed by Harold Monfort: Overnight parking by any vehicle on the street rights-of-way in Arden is prohibited. A resident may obtain temporary verbal permission for occasional overnight visitor parking from the Town Clerk or (?) upon statement of need.

Discussion: The intent of this motion is to keep Arden roads clear. The clause concerning temporary permission for guest parking is unwieldy, what if the Town Clerk is unavailable? Is this clause really necessary?

Alternative amendment moved by Frank Akutowicz: Regular overnight parking on Arden Street rights-of-way is prohibited.

First reading of this amendment was accepted.

Letter from Dorsey Lebeis, The Village of Ardencroft, Re: The State Summer Youth Employment Program. Ardencroft has applied for a grant from the Dept. of Community Affairs, Division of Community Services. If approved, the 1984 State Summer Youth Employment Program will run six to eight weeks, beginning July 9 and ending August 31. Youths who meet the state requirements will be hired to work manual labor for Arden, Ardentown, and Ardencroft if they wish to participate. The salary of the youths will be provided by the grant. The salary of a supervisor and/or administrator will be provided by the villages. Does Arden wish to participate?

The Assembly voted to participate in this program again this summer. The Safety Committee is interested in using the program to erect traffic signs.

Meeting adjourned.

Sarah Hamlurger